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COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE JULY 1, 1991 **FILE NO.** 091-07070-0973-051

C- ADW AGAINST A PEACE OFFICER - 245 (C) P.C./GRAND THEFT AUTO - 487(H) P.C./POSSESSION OF METHAMPHETAMINE FOR SALES - 11378H&S/POSSESSION OF NARCOTICS PARAPHERNALIA - 4149B&P/ DEPUTY INVOLVED SHOOTING

Action Taken INACTIVE/INVESTIGATION MADE/CC #91-05930 ASSIGNED

V- LISTED BELOW

D- 06-30-91, 1254 HOURS (SUNDAY)

L- [redacted] NORTH VISTA STREET, WEST HOLLYWOOD

S- **MINOR, JAMES LEE MW/28**, DOB: 02-14-63 (DECEASED)
AKA'S: SCAUGGS, JAMES; SKAUGGS, JAMES
[redacted]
5' 10", 175 POUNDS, BROWN HAIR, BROWN EYES
CDL: #[redacted], CII: #[redacted], FBI: #[redacted]

VICTIMS:

#1 OLIVA, DAVID DEPUTY SHERIFF, #[redacted]
WEST HOLLYWOOD SHERIFF'S STATION

#2 [redacted] **MW/29**, DOB: [redacted]
[redacted], [redacted]

WITNESSES:

#1 [redacted] **MW/48**, DOB: [redacted]
EMPLOYED: [redacted]

#2 [redacted] **MH/17**, DOB: [redacted]

#3 [redacted] **MW/44**, DOB: [redacted]
EMPLOYED: [redacted]

#4 VAUGHAN, ANDREW JOSEPH DEPUTY SHERIFF, #[redacted]
WEST HOLLYWOOD SHERIFF'S STATION

The following witnesses are sworn personnel from West Hollywood Sheriff's Station. They have prepared reports of their actions and observations regarding this incident, which will be made a permanent part of this file.

DEPUTY COHEN, #[redacted]
DEPUTY MATHERS, #[redacted]



DEPUTY SEEMAN, #[redacted]
DEPUTY WILFORD, #[redacted]
DEPUTY WONG, #[redacted]
DEPUTY OSMAN, #[redacted]
DEPUTY SAYLOR, #[redacted]
SERGEANT MORTENSAN, #[redacted]

EVIDENCE HELD:

Item # 1 - Stolen vehicle (listed in the first report).

Item # 2 - Brass casing, expended, 9mm "Winchester-Luger", found on the pavement south of Victim Oliva's radio car.

Item # 3 - Brass casing, expended, 9mm "Winchester-Luger", found on the pavement south of the Victim Oliva's radio car.

Item # 4 - Brass casing, expended, 9mm "Winchester-Luger", found on the pavement south of the Victim Oliva's radio car.

Item # 5 - Brass casing, expended, 9mm "Winchester-Luger", found on the pavement south of the Victim Oliva's radio car.

Item # 6 - One deformed copper jacket, smeared with blood and brain matter, fell onto pavement from Suspect Minor's head when taken from his vehicle.

Item # 7 - One deformed copper jacket found on floorboard of driver's compartment of Evidence Held Item #1, the stolen vehicle, driven by Suspect Minor.

Item # 8 - Photos of tire transfers from Evidence Held Item #1, vehicle driven by Suspect Minor, on driveway pavement between [redacted] and [redacted] North Vista Street.

Item # 9 - Photos of tire transfers from assisting radio car, driven by Witness #4, Deputy Vaughan, on the pavement in the center of North Vista Street.

Item #10 - One taser, black plastic, "Mighty", found in Evidence Held Item #1 by console and front passenger seat.

Item #11 - One knife in sheath, approximately 12 inches overall in length, k-bar combat style, found wedged between console and front passenger seat, of Evidence Held Item #1.

Item #12 - One key holder, black leather, "Sumitomo Tires", blood spattered, containing one package of Zig-Zags, one matchbook, one quarter, one zip-lock baggie containing approximately 1/2 gram of white crystalline substance resembling methamphetamine, found on the front passenger side floorboard of Evidence Held Item #1.

Item #13 - One black with red trim vinyl shaving kit, blood smeared, containing the following: One zip-lock baggie containing approximately 1/8 ounce of white crystalline substance resembling methamphetamine. Eight zip-lock baggies with residue of white crystalline substance.



One large zip-lock baggie containing 43 smaller zip-lock baggies. One white piece of folded paper containing unknown brown powder substance. One teaspoon measure with white powder residue. One plastic film container containing two partial marijuana cigarettes and a yellow metal ring and a poised stone. One grey plastic box containing two hypodermic syringes. Two rolled marijuana cigarettes. One coke spoon. One zip-lock baggie with white powder residue. One brown glass vial. One clear glass vial. One sheet of "Errol Gerson Company" stationary with pay/owe list on it. $265 in U.S. currency. Five key rings with keys. Two loose keys. One screwdriver. One pen. One pair tweezers. One BandAid. One open pack of "Marlboro's." One comb. One phone book. One B of A checking book in the name of [redacted]. One name tag of same. Two DMV auto titles - [redacted] ([redacted]) and [redacted] ([redacted]). One DMV registration for [redacted] ([redacted]). The shaving kit was found on the front passenger seat of Evidence Held Item #1.

All the narcotics and narcotic paraphernalias from Evidence Held Items #12 and #13 were booked into West Hollywood Sheriff's Station, Narcotics locker, by Deputy K. Aggas, #[redacted].

Item #14 - $13.51 in U.S. currency, one small flashlight, one car key, one Pac-Bell Credit Card in the name of [redacted]. [redacted], recovered from suspect's pants at hospital by Sergeant R. Perry, Homicide Bureau.

Item #15 - One blood sample drawn from suspect at Cedar Sinai Hospital, and transported to Sheriff's Crime lab under receipt #H426366.

Item #16 - Four Coroner's envelopes, three containing projectiles and one containing fragments. Evidence Held Item #16 was removed from Suspect Minor during the autopsy by Dr. Hauser.

Property taken for testing: One Beretta, semi-automatic, Model 92F, Serial #[redacted]. Taken to Sheriff's Firearms Section for test firing.

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At approximately 1320 hours, 06-30-91, Investigators were detailed from their respective residences to respond to the location regarding an officer involved shooting.

Upon arriving at the location, Investigators were contacted by Deputy **COHEN**, #[redacted]. Deputy Cohen advised that Deputy Oliva had been following a stolen vehicle that drove into the driveway, south of [redacted] Vista Street. Deputy Oliva attempted to hold the suspect at that location at gun point. The suspect made a turn in the driveway and pointed his vehicle at Deputy Oliva and attempted to run him over.

Deputy Oliva fired four rounds at the suspect as he drove towards him. The suspect then re-entered Vista Drive, going northbound,

striking a civilian vehicle which was parked southbound on Vista Street. This vehicle was occupied by Victim [redacted]. The suspect then continued northbound on Vista Street to an alleyway, continued eastbound in the alleyway, where he struck a parked Cadillac and came to rest. The suspect was removed from the vehicle and transported to Cedar Sinai Hospital, where he expired.

Deputy Cohen will prepare a report of his actions and observations which will be made a permanent part of this file.

The location is the driveway south of [redacted] Vista Street, Vista Street and an alleyway north of [redacted] Vista. This location is south of Santa Monica Boulevard in the City of West Hollywood.

Deputy Lowry, from Sheriff's Latent Print Detail, arrived at the location at 1415 hours and took photographs as indicated by Investigators. Deputy Coleman, from Sheriff's Art Staff, arrived at the location at 1445 hours and will prepare a to-scale drawing of the location. Deputy Hunter, from Sheriff's Information Bureau, arrived at the location at 1435 hours. Sergeants Bradstock and Marlett, from Internal Affairs Bureau, arrived at the location at 1445 hours. District Attorney Investigator Schmikola and Deputy District Attorney Spillane arrived at the location at 1430 hours.

Investigator Seeger from Sheriff's Homicide arrived at the location and has prepared the following description of the scene, including the collection of evidence.

The location on Vista Street is a residential area of apartment buildings and single story dwellings south of Santa Monica Boulevard. Santa Monica Boulevard is a major east/west thoroughfare and business district.

The scene constituted the east/west alley north of [redacted] Vista Street, Vista Street south of the alley to the driveway between [redacted] and [redacted] Vista Street, the driveway and parking area.

[redacted] [redacted] and [redacted] are on the east side of Vista Street. [redacted] and [redacted] are [redacted] apartment buildings, which are on a [redacted] with a [redacted] in front of them. Both have a clear view of Vista Street. [redacted] is a [redacted] story dwelling facing Vista Street.

Vista Street is of average width with one lane and a parking lane running north and south. On the west side is a multi-story apartment building. Parked directly in front of this building, on the street, are several large construction vehicles blocking the southbound lane of Vista Street.

Deputy Oliva's radio car was partially into the driveway between [redacted] and [redacted] Vista Street, facing east. The driver's door was open. To the south of the vehicle, there was a large amount of shattered glass on Vista Street. Amongst this glass, and south of it, Investigators observed four brass shell casings (Evidence Held Items #2 - #5).

In the parking area in front of [redacted], Investigators observed several fresh tire transfers, curving in several different directions (Evidence Held Item #8). West and slightly north of the radio car, Investigators observed a white vehicle, California



license #[redacted], parked against the construction equipment. It had severe damage to the driver's side. Just north and east of this vehicle was a long tire track transfer going north to the alley entry on the east side of Vista Street (Evidence Held Item #9).

East of this alley entrance and on the north side, Investigators observed Evidence Held Item #1, the stolen vehicle. It was at rest pointing in a slight northeast direction. The driver's door window was completely shattered and missing and there was a bullet hole in the driver's door online with and slightly forward of the door handle. There was another bullet hole in the windshield, approximately midpoint and low, with an apparent projectile skid mark on the dashboard directly below it.

Investigators observed large drying pools and spatters of blood on the pavement directly below the driver's door and a trail of drying blood running from the door to the curb line. On the pavement below the driver's door, Investigators observed a deformed, bloody copper jacket (Evidence Held Item #6). Investigators were told by Deputy Cohen that the copper jacket fell from the suspect's head when he was taken from the vehicle. Investigators observed large spatters of wet and drying blood on the driver's seat, the floor behind it, the interior of the driver's door, and the front passenger seat. On the driver's side floorboard, Investigators observed another deformed copper jacket (Evidence Held Item #7).

Deputy Cohen told Investigators that he removed a knife and taser from the suspect's vehicle (Evidence Held Items #10 and #11). Investigators recovered a blood spattered key holder (Evidence Held Item #12) from the front passenger floorboard containing what appeared to be methamphetamine. On the front passenger seat, Investigators recovered the shaving kit (Evidence Held Item #13) that contained methamphetamine, narcotics paraphernalia, money, keys, and personal papers.

Evidence Held Items #2 through #7 and Item #16 were transported to the Sheriff's Crime Lab, Firearms Section, receipt numbers H425650 and H428981 were obtained.

Evidence Held Items #10 through #13 were placed in the Homicide Evidence Locker with the exception of the narcotics and monies.

Evidence Held Item #14 and the money from Item #13 were placed in the Homicide Evidence Safe.

For the exact location of the evidences and measurements of the scene, refer to the to-scale drawing by Deputy Coleman.

On Sunday, 06-30-91, at 1520 hours, Investigators interviewed Witness #1, [redacted]. Mr. [redacted] stated that at approximately 1:00 p.m., he was watching television in the living room of his apartment, which is directly across the street from the location. His apartment is located [redacted] and [redacted] Vista Street.

He said he was first alerted to something happening on the street outside his apartment as he heard what sounded like an intermittent siren from a police car. He thinks perhaps it was three short blasts. The second thing he heard was a little



crunch, like a minor traffic collision. Then he heard a popping sound as if coming from a small bore firearm, after that he heard a bang, bang, bang, loud and definite gunfire. He was not positive as to the exact sequence of the crunch and gunfire. By this time, his interest was aroused enough for him to move over to the window and look down on the street.

He saw a police car in the driveway of the location and a small red car moving northbound on Vista Street, almost in an aimless pattern until it collided with a Cadillac, which was parked on the north side of the alley behind Okey Dog Restaurant. He saw a deputy holding a gun on the suspect driver and immediately thereafter, he saw two more deputies ride up on bikes to assist. They also had their guns drawn on the suspect and assisted in containing him until paramedics arrived.

With binoculars, Mr. [redacted] could see no movement in the car, but he saw that the victim was very bloody. He did not see the red car collide with the white Nissan, however, he did notice the car had been hit after the incident when he went outside and contacted police. This interview with Mr. [redacted] was not tape recorded.

Investigators Royer and Bice then proceeded to West Hollywood Sheriff's Station to interview the victims and remaining witnesses. Refer to the taped transcript of those interviews.

On 1735 hours on 06-30-91, Sergeant Perry interviewed [redacted], AKA: "[redacted]", FW/25, DOB: [redacted], California license #[redacted], [redacted], Apartment #[redacted], [redacted], [redacted]. Ms. [redacted] had been brought to the station by patrol officers after contacting the hospital concerning the suspect.

Ms. [redacted] stated she was in her apartment and heard three gunshots. She walked to the front of the apartment building and observed officers pointing their weapons at a red vehicle, which was stopped in the alleyway north of the location. She observed the deputies pull the suspect out of the vehicle and then observed an Investigator remove a bag with red trim from the vehicle. She recognized that bag as she had seen it on previous occasions in the possession of Suspect Minor.

She stated Suspect Minor had an AKA of "Jimbo" and that she had known him approximately one year. She said he was a street level dope dealer and dealt in methamphetamine (speed). She stated he wore a large square gold diamond ring, a gold necklace and a thin gold bracelet with a gold watch. She said he was not married and stays somewhere in Beverly Hills. She last knew him driving a silver Plymouth hatchback, approximately one year ago.

She was then shown a Polaroid photograph, which was of the profile of the suspect. She positively identified the person in that photograph as being James Lee Minor. This interview by Sergeant Perry was not tape recorded.

On 07-01-91 at 1020 hours, Deputy Oliva's firearm, Beretta, was transported to Sheriff's Firearms Section and turned over to Deputy Catalani for test firing.

On 07-02-91 at 1030 hours, Investigators responded to Sheriff's Communications Center and obtained a tape recording of radio transmissions by Deputy Oliva. Refer to the taped transcript of the radio transmissions.

On 07-03-91 at 1200 hours, Investigators attended an autopsy which was performed on Suspect Minor by Dr. Hauser at the Los Angeles County Coroner's Office. Also present was District Attorney Investigator Schmikola. Dr. Hauser stated Suspect Minor had sustained four gunshot wounds. One struck the suspect in the right upper shoulder, going from front to back and lodging in the rear of the shoulder. This wound was a secondary wound meaning that the projectile had hit something else (possibly the windshield) prior to striking the suspect.

A second wound was in the suspect's left chest between the armpit and left nipple, going from left to right and front to back lodging in the suspect's spine. This also was a secondary wound (possibly driver's door window).

A third wound was in the left side of the suspect's head above the left ear, going from left to right and back to front exiting above the suspect's right eye in the eyebrow area. This was not a secondary wound.

The fourth wound was in the suspect's right inner leg above the knee, going from left to right and downward lodging in the leg. This was also a secondary wound (possibly the driver's door). Dr. Hauser stated Suspect Minor died as a result of the gunshots. Dr. Hauser removed Evidence Held Item #16 from Suspect Minor's body and will prepare a report outlining her actions and observations. A copy of this report will be made a permanent part of this file.

Investigators believe that the shoulder wound was the first round fired by Deputy Oliva. The wound in the chest was either the second or third round fired. The wound in the leg was the second, third or fourth round fired and the one in the head, the third or fourth round fired.

BY: SERGEANT CURTIS ROYER, #[redacted]
INVESTIGATOR MARY BICE, #[redacted]
SERGEANT ROBERT PERRY, #[redacted]
INVESTIGATOR JOSEPH SEEGER, #[redacted]
APPROVED: LIEUTENANT NANCY REID [redacted]
HOMICIDE BUREAU - DETECTIVE DIVISION

TALY/WPI

